691/06
P.R. No. ..... Presented by Shri Suryendra Sahu
dated 10/2/06
SINGLE BENCH 3
C.F. 100/-

(1)

IN THE HIGH COURT OF CHHATTISGARH

AT BILASPUR

WRIT PETITION No. 708 / 2006

[Compassionate Appointment Matter]

PETITIONER : Gulab Namdeo, S/o. Late Awadhesh Prasad Namdeo, Aged about 30 years, Resident of Bazarpara, Tehsil and Police Station- Baikunthpur, District- Korea (C.G.).

VERSUS

RESPONDENTS

1- State of Chhattisgarh,
Through : The Secretary, Department of Adivasi Vikas, Mantralaya, Raipur (CG).

2- Commissioner, Department of Schedule Tribes/ Schedule caste, other Backward Class and Minoirty Welfare, Raipur (CG).

R/C Sd/- 10-2-06
for THAKUR VIJAY SINGH
Asst. Solicitor General of India
CHHATTISGARH HIGH COURT
High Court Campus, Bilaspur (C.G.)

3- Assistant Commissioner, Adivasi Vikas- Korea, Baikunthpur, District- Korea (C.G.).

4- Collector, Korea, Baikunthpur, District- Korea (C.G.).

OATH COMMISSIONER APARNA MISHRA 08/02/06

R/C 10/02/06

5- State of Madhya Pradesh,
Through : Department of Adivasi Vikas, Vallabh Bhawan- Bhopal (M.P.)

6- Commissioner, Department of Schedule Tribe, Schedule Caste, other Backward Class and Minority Welfare Bhopal (M.P.)

RECEIVED-COPY 10/2/06
CLERK to A. G. BILASPUR

7- Union of India, Through : Secretary, Department of Human Resources, New Delhi (INDIA).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUE OF AN APPROPRIATE WRIT IN NATURE OF MANDAMUS/CERTIORARI ETC. DIRECTION/ORDER IN THE LIKE NATURE ETC.

XI-HC-22

38

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP No. 708/06 सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

13-2-2006

Shri Mahendra Dubey, counsel for the petitioner.

Shri Vivek Sharma, Panel Lawyer for the State of C.G.

Shri Vimlesh Bajpai, Advocate, appears on behalf of Shri S.S. Rajpoot, counsel for the State of M.P.

Heard.

Learned counsel for the petitioner submits that the petitioner's father, who was working as Upper Division Teacher, died during service period on 24/7/2000 and thereafter the petitioner applied for compassionate appointment which was not granted. It is further submitted that in batch of cases bearing W.P. No.1322/2002 involving the same question orders have been passed by this Court on 20/12/2005. He prays that similar orders may be passed in this case also.

Learned counsel for the State does not dispute the above fact and states that the State of Chhattisgarh has taken a decision to consider the cases of dependants of those employees who died on or after 1/11/1997 strictly in accordance with the policy prevalent at that time.

In view of the submissions made by learned counsel appearing for the parties, without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the State of Chhattisgarh and the authorities concerned to consider and decide the case of the petitioner in accordance with the policy prevalent at the time of death of her father. If the petitioner found eligible, appointment orders will be issued as early as possible preferably within a period of four months from the date of production of the copy of this order. The petitioner is also directed to render due co-operation to the authorities.

With the aforesaid observations, this petition stands disposed of.

Certified copy as per rules.

Copy to the State counsel, who will be obliged to communicate the order to the respondents for compliance.

Sd/-
Fakhruddin
Judge

H/-

(पीछे देखिये

20.2.06